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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,732	12/04/2003	Bo Andersson	0237.045	7176
23405	7590	01/30/2006		
HESLIN ROTHENBERG FARLEY & MESITI PC 5 COLUMBIA CIRCLE ALBANY, NY 12203			EXAMINER SCHNEIDER, CRAIG M	
			ART UNIT	PAPER NUMBER
			3753	
DATE MAILED: 01/30/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/727,732

Applicant(s)

ANDERSSON, BO

Examiner

Craig M. Schneider

Art Unit

3753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The finality of the previous office action is withdrawn.
2. The amendment after final rejection filed on 1/13/06 has been entered.
3. The drawings were received on 1/13/06. These drawings are acceptable.

### ***Claim Rejections - 35 USC § 103***

4. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Werra et al. (3,105,516) in view of Brehm (5,427,352).

Werra et al. disclose a ball check valve comprising a housing having walls defining a fluid inlet (12), a fluid outlet (13), and a chamber communicating with the inlet and with the outlet (10), the chamber including a fluid passageway, a spherical hollow ball (18) in the chamber having a diametric cross sectional area larger than the area of the inlet, the spherical hollow ball being movable between a first, flow impeding position adjacent the inlet along a guide part to a second position spaced from the inlet and diverged from the fluid passageway to allow fluid to pass through the valve. Werra et al. further disclose that the spherical hollow ball is a metallic sphere enclosed by a coat of rubber or synthetic resin (col. 2, lines 5-8). Werra et al. does not disclose a plurality of spherical shock absorbing members contained within the spherical hollow ball. Brehm disclose a plurality of spherical shock absorbing members (73) contained within a valve body (col. 5, lines 7-51).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the shock absorbing members that are in the valve of Brehm into the hollow ball of Werra et al., in order to dampen the movement of the ball.

Regarding claim 2, wherein the spherical shock absorbing members stabilize the spherical hollow ball while in transition between the first, flow impeding position and the second position (col. 5, lines 21-28).

Regarding claim 3, wherein the plurality of spherical shock absorbing members are metallic (col. 5, lines 50-51).

Regarding claim 5, wherein the plurality of spherical shock absorbing members only partially fill the spherical hollow ball (col. 5, lines 21-25).

### ***Conclusion***

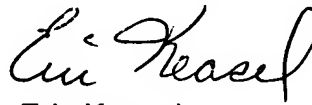
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Craig M. Schneider whose telephone number is (571) 272-3607. The examiner can normally be reached on M-F 8:30 -5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Keasel can be reached on (571) 272-4929. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3753

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CMS *CMS*  
January 23, 2006

  
Eric Keasel  
Primary Examiner  
Art Unit 3754